

Exhibit 4

Thomas, David

From: Thomas, David
Sent: Friday, October 13, 2023 7:33 PM
To: Minervini, Francine
Cc: Romagnoli, Natasha; Seidelmann, Jeanie
Subject: Re: Varsity

Thank you, Francine. We are in agreement.

Best,

Dave

On Oct 13, 2023, at 7:29 PM, Minervini, Francine <FMinervini@archinsurance.com> wrote:

You don't often get email from fminervini@archinsurance.com. [Learn why this is important](#)

Natasha and Dave,

Jeannie forwarded your email - she is currently on a plane and cannot respond. I am responding here - Please note Arch agrees to these terms subject to the following additional conditions:

- First, this agreement is in place only for the three week period during which Varsity and the plaintiffs continue to negotiate, and if negotiations end earlier this agreement terminates at that time;
- Second, if any further request is made for Arch to consent or fund, Arch has the right to address consent and funding anew. That is, this agreement does not bind Arch for any discussions of further consent and payment in any manner;
- Third, Arch does not provide consent, but instead agrees solely to waive lack of consent as a defense. This should be adequate.
- Fourth, Arch does not agree to anything with respect to the other insurers, whether they are contributing to [REDACTED]. Arch reserves all rights as to other insurance, priority of payment, and otherwise as to other insurers.
- Finally, in any event, the agreement set forth below and here ends if there is no settlement in place resulting in a complete release of Varsity in three weeks. (Arch will consider any reasonable request to extend this agreement, but is under no obligation to agree to an extension.)

Francine Minervini
Arch Insurance Group

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From: Romagnoli, Natasha <natasha.romagnoli@blankrome.com>
Sent: Friday, October 13, 2023 5:14:36 PM
To: Seidelmann, Jeanie <JSeidelmann@archinsurance.com>
Cc: Thomas, David <david.thomas@blankrome.com>
Subject: Varsity Agreement on Waiver of Consent/Voluntary Payments

CAUTION: External email.

Jeanie,

This will confirm what we presented to the carrier group (please know that some others have already agreed):

1. [REDACTED]
2. Varsity [REDACTED]
3. To allow us to facilitate settlement negotiations tonight in light of the looming deadlines and the issues that we've discussed throughout the past two days, Varsity has requested the following so that its defense counsel can try to negotiate a settlement tonight:
 - a. Carriers waive consent and voluntary payments to allow Varsity's defense counsel to negotiate
 - b. There is no waiver of any other defenses including the carriers can still object to the reasonableness of settlement
 - c. The carriers are not agreeing by this agreement that they will fund in whole or in part any amount [REDACTED]
 - d. We agree to a three-week standstill so that we have time to work with each to figure out coverage defenses, and what if, any part of the amounts will be funded by the carriers
 - e. If no agreement is reached on funding at the end of three weeks (however the funding is supposed to happen), then the deal with plaintiffs is off

Time is really of the essence at this point. I cannot begin to tell you the intense frustration there is now that we are not currently asking for money from the carriers but just waiver of consent/voluntary payments. Please asap confirm that Arch is waiving consent/voluntary payments.

Thanks.

Natasha

Natasha Romagnoli | BLANK**ROME**

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Pronouns: she, her, hers

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